

# **Exhibit C**

# United States of America

United States Patent and Trademark Office



**Reg. No. 4,356,627**

**Registered June 25, 2013**

**Int. Cl.: 5**

**TRADEMARK**

**PRINCIPAL REGISTER**

OMS INVESTMENTS, INC. (DELAWARE CORPORATION)  
10250 CONSTELLATION BLVD.  
SUITE 2800  
LOS ANGELOS, CA 90067

FOR: PESTICIDES, INSECTICIDES, HERBICIDES, FUNGICIDES, PARASITICIDES, RODENTICIDES, INSECT BAIT IN THE NATURE OF INSECTICIDES FOR PEST CONTROL PURPOSES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 2-1-2011; IN COMMERCE 2-1-2011.

OWNER OF U.S. REG. NOS. 3,582,554, 4,042,710 AND OTHERS.

THE COLOR(S) RED AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORDS "ORTHO" IN WHITE ACROSS THE DESIGN OF A RED HOUSE.

SER. NO. 85-624,846, FILED 5-14-2012.

KIMBERLY PERRY, EXAMINING ATTORNEY



*Lea Street Lee*

Acting Director of the United States Patent and Trademark Office

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STATUS DOCUMENTS MAINTENANCE

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**Mark:** ORTHO



**US Serial Number:** 85624846

**Application Filing Date:** May 14, 2012

**US Registration Number:** 4356627

**Registration Date:** Jun. 25, 2013

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status**

**Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** A Sections 8 and 15 combined declaration has been accepted and acknowledged.

**Status Date:** Jul. 20, 2019

**Publication Date:** Apr. 09, 2013

## Mark Information

**Mark Literal Elements:** ORTHO

**Standard Character Claim:** No

**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

**Description of Mark:** The mark consists of the words "ORTHO" in white across the design of a red house.

**Color Drawing:** Yes

**Color(s) Claimed:** The color(s) red and white is/are claimed as a feature of the mark.

**Design Search Code(s):** 07.01.04 - Detached house  
07.01.06 - Other houses

## Related Properties Information

**Claimed Ownership of US** [3582554](#), [3652072](#), [4042710](#) and others

**Registrations:**

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Pesticides, insecticides, herbicides, fungicides, parasiticides, rodenticides, insect bait in the nature of insecticides for pest control purposes

**International Class(es):** 005 - Primary Class

**U.S Class(es):** 006, 018, 044, 046, 051, 052

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Feb. 01, 2011

**Use in Commerce:** Feb. 01, 2011

**Basis Information (Case Level)**

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

**Current Owner(s) Information**

Owner Name: OMS Investments, Inc.

Owner Address: 10250 Constellation Blvd.  
Suite 2800  
Los Angeles, CALIFORNIA UNITED STATES 90067

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

**Attorney/Correspondence Information****Attorney of Record**

Attorney Name: Robert Morgan

Attorney Primary Email [trademarks@scotts.com](mailto:trademarks@scotts.com)  
Address:

Attorney Email Authorized: Yes

**Correspondent**

Correspondent Name/Address: Robert Morgan

OMS Investments, Inc.  
10250 Constellation Blvd., Suite 2800  
Los Angeles, CALIFORNIA UNITED STATES 90067

Phone: 9375781561

Fax: 9376447568

Correspondent e-mail: [trademarks@scotts.com](mailto:trademarks@scotts.com)

Correspondent e-mail  
Authorized: Yes

**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Oct. 17, 2022	TEAS SECTION 8 & 9 RECEIVED	
Oct. 20, 2022	TEAS VOLUNTARY AMENDMENT RECEIVED	
Jun. 25, 2022	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Jul. 20, 2019	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 20, 2019	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Jul. 20, 2019	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Jun. 06, 2019	TEAS SECTION 8 & 15 RECEIVED	
Jun. 25, 2018	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jun. 25, 2013	REGISTERED-PRINCIPAL REGISTER	
Apr. 09, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 09, 2013	PUBLISHED FOR OPPOSITION	
Mar. 20, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 04, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	69712
Mar. 04, 2013	ASSIGNED TO LIE	69712
Mar. 04, 2013	ASSIGNED TO LIE	67287

Feb. 19, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 14, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 13, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 13, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 05, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 05, 2012	NON-FINAL ACTION E-MAILED	6325
Sep. 05, 2012	NON-FINAL ACTION WRITTEN	73372
Sep. 05, 2012	ASSIGNED TO EXAMINER	73372
May 22, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
May 18, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
May 17, 2012	NEW APPLICATION ENTERED	

### TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** TMO LAW OFFICE 112

**Date in Location:** Jul. 20, 2019

**Assignment Abstract Of Title Information - Click to Load**

**Proceedings - Click to Load**

# United States of America

United States Patent and Trademark Office



**Reg. No. 4,271,554**

**Registered Jan. 8, 2013**

**Int. Cl.: 21**

**TRADEMARK**

**PRINCIPAL REGISTER**

OMS INVESTMENTS, INC. (DELAWARE CORPORATION)  
10250 CONSTELLATION BLVD., SUITE 2800  
LOS ANGELOS, CA 90067

FOR: RODENT TRAPS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 8-11-2010; IN COMMERCE 8-11-2010.

OWNER OF U.S. REG. NOS. 3,582,554, 4,042,710 AND OTHERS.

THE COLOR(S) RED AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "ORTHO" IN WHITE ACROSS THE DESIGN OF A STYLIZED HOUSE IN RED.

SER. NO. 85-624,869, FILED 5-14-2012.

KAREN K. BUSH, EXAMINING ATTORNEY



*David J. Kyros*

Director of the United States Patent and Trademark Office

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**Mark:** ORTHO



**US Serial Number:** 85624869

**Application Filing Date:** May 14, 2012

**US Registration Number:** 4271554

**Registration Date:** Jan. 08, 2013

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status**

**Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** The registration has been renewed.

**Status Date:** Jul. 26, 2022

**Publication Date:** Oct. 23, 2012

## Mark Information

**Mark Literal Elements:** ORTHO

**Standard Character Claim:** No

**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

**Description of Mark:** The mark consists of the word "ORTHO" in white across the design of a stylized house in red.

**Color Drawing:** Yes

**Color(s) Claimed:** The color(s) red and white is/are claimed as a feature of the mark.

**Design Search Code(s):** 07.01.04 - Detached house  
07.01.06 - Other houses

## Related Properties Information

**Claimed Ownership of US** [3582554](#), [3652072](#), [4042710](#) and others  
**Registrations:**

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Rodent traps

**International Class(es):** 021 - Primary Class

**U.S Class(es):** 002, 013, 023, 029, 030, 033, 040, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Aug. 11, 2010

**Use in Commerce:** Aug. 11, 2010

**Basis Information (Case Level)**

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

**Current Owner(s) Information**

Owner Name: OMS Investments, Inc.

Owner Address: 10250 Constellation Blvd., Suite 2800  
Los Angeles, CALIFORNIA UNITED STATES 90067

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE**Attorney/Correspondence Information****Attorney of Record**

Attorney Name: Robert Morgan

Attorney Primary Email [trademarks@scotts.com](mailto:trademarks@scotts.com)  
Address:

Attorney Email Authorized: Yes

**Correspondent**

Correspondent Name/Address: Robert Morgan

OMS Investments, Inc.  
10250 Constellation Blvd., Suite 2800  
Los Angeles, CALIFORNIA UNITED STATES 90067

Phone: 937-578-1561

Correspondent e-mail: [trademarks@scotts.com](mailto:trademarks@scotts.com)Correspondent e-mail  
Authorized: Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Jul. 26, 2022	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jul. 26, 2022	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	71378
Jul. 26, 2022	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	71378
Jul. 05, 2022	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Jan. 26, 2022	TEAS SECTION 8 & 9 RECEIVED	
Jan. 08, 2022	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Oct. 23, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 23, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Sep. 30, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 30, 2018	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
Sep. 30, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Sep. 20, 2018	TEAS SECTION 8 & 15 RECEIVED	
Jan. 08, 2018	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jan. 08, 2013	REGISTERED-PRINCIPAL REGISTER	
Oct. 23, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 23, 2012	PUBLISHED FOR OPPOSITION	
Oct. 03, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	

Sep. 17, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Sep. 17, 2012	ASSIGNED TO LIE	68552
Sep. 06, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 06, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 06, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 06, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 06, 2012	EXAMINERS AMENDMENT -WRITTEN	67516
Sep. 05, 2012	ASSIGNED TO EXAMINER	67516
May 22, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
May 18, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
May 17, 2012	NEW APPLICATION ENTERED	

### TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Jul. 26, 2022

**Assignment Abstract Of Title Information - Click to Load**

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# United States of America

United States Patent and Trademark Office



**Reg. No. 4,564,703**  
**Registered July 8, 2014**  
**Int. Cl.: 8**

**TRADEMARK**  
**PRINCIPAL REGISTER**

OMS INVESTMENTS, INC. (DELAWARE CORPORATION)  
10250 CONSTELLATION BLVD., SUITE 2800  
LOS ANGELOS, CA 90067

FOR: HAND-OPERATED SPRAYERS FOR APPLYING FERTILIZERS, PLANT FOODS, PESTICIDES, INSECTICIDES, HERBICIDES AND FUNGICIDES, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

FIRST USE 3-0-2014; IN COMMERCE 3-0-2014.

OWNER OF U.S. REG. NOS. 3,582,554, 4,042,710, AND OTHERS.

THE COLOR(S) RED AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "ORTHO" IN WHITE ACROSS THE DESIGN OF A STYLIZED HOUSE IN RED.

SN 85-624,876, FILED 5-14-2012.

KAREN K. BUSH, EXAMINING ATTORNEY



*Michelle K. Lee*  
Deputy Director of the United States  
Patent and Trademark Office

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**Mark:** ORTHO



**US Serial Number:** 85624876

**Application Filing Date:** May 14, 2012

**US Registration Number:** 4564703

**Registration Date:** Jul. 08, 2014

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status**

**Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** A Sections 8 and 15 combined declaration has been accepted and acknowledged.

**Status Date:** Dec. 11, 2019

**Publication Date:** Oct. 23, 2012

**Notice of Allowance Date:** Dec. 18, 2012

## Mark Information

**Mark Literal Elements:** ORTHO

**Standard Character Claim:** No

**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

**Description of Mark:** The mark consists of the word "ORTHO" in white across the design of a stylized house in red.

**Color Drawing:** Yes

**Color(s) Claimed:** The color(s) red and white is/are claimed as a feature of the mark.

**Design Search Code(s):** 07.01.06 - Other houses

## Related Properties Information

**Claimed Ownership of US Registrations:** [3582554](#), [3652072](#), [4042710](#) and others

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Hand-operated sprayers for applying [ fertilizers, plant foods, ] pesticides, insecticides, herbicides and fungicides

**International Class(es):** 008 - Primary Class

**U.S Class(es):** 023, 028, 044

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Mar. 2014

**Use in Commerce:** Mar. 2014

## Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

### Current Owner(s) Information

Owner Name: OMS Investments, Inc.

Owner Address: 10250 Constellation Blvd., Suite 2800  
Los Angeles, CALIFORNIA UNITED STATES 90067

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

### Attorney/Correspondence Information

#### Attorney of Record

Attorney Name: Robert Morgan

Attorney Primary Email [trademarks@scotts.com](mailto:trademarks@scotts.com)  
Address:

Attorney Email Authorized: Yes

#### Correspondent

Correspondent Name/Address: Robert Morgan

10250 Constellation Blvd., Suite 2800  
Los Angeles, CALIFORNIA UNITED STATES 90067

Phone: 937-578-1561

Correspondent e-mail: [trademarks@scotts.com](mailto:trademarks@scotts.com)  
[trademarks@scotts.com](mailto:trademarks@scotts.com)

Correspondent e-mail  
Authorized: Yes

#### Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Nov. 29, 2022	NOTICE OF UPDATED REGISTRATION CONFIRMATION EMAILED	
Oct. 26, 2022	AMENDMENT UNDER SECTION 7 – PROCESSED	81927
Oct. 24, 2022	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	81927
Jun. 08, 2022	TEAS SECTION 7 REQUEST RECEIVED	
Apr. 30, 2022	REGISTERED - SEC. 7 REQUEST ABANDONED	30098
Apr. 30, 2022	POST REGISTRATION ACTION MAILED NO RESPONSE REQUIRED	30098
Apr. 27, 2022	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	30098
Mar. 20, 2022	TEAS VOLUNTARY AMENDMENT RECEIVED	
Dec. 11, 2019	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Dec. 11, 2019	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77074
Dec. 11, 2019	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77074
Nov. 06, 2019	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 06, 2019	TEAS SECTION 8 & 15 RECEIVED	
Oct. 23, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 23, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 08, 2019	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jul. 08, 2014	REGISTERED-PRINCIPAL REGISTER	
May 31, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 30, 2014	LAW OFFICE REGISTRATION REVIEW COMPLETED	68552

May 22, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 05, 2014	STATEMENT OF USE PROCESSING COMPLETE	76538
May 01, 2014	USE AMENDMENT FILED	76538
May 01, 2014	TEAS STATEMENT OF USE RECEIVED	
Jan. 18, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 17, 2014	SOU EXTENSION 2 GRANTED	76538
Nov. 21, 2013	SOU EXTENSION 2 FILED	76538
Jan. 17, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Jan. 13, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	74193
Nov. 21, 2013	TEAS EXTENSION RECEIVED	
Jul. 31, 2013	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 31, 2013	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jun. 08, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 06, 2013	SOU EXTENSION 1 GRANTED	98765
Jun. 06, 2013	SOU EXTENSION 1 FILED	98765
Jun. 06, 2013	TEAS EXTENSION RECEIVED	
Dec. 18, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 23, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 23, 2012	PUBLISHED FOR OPPOSITION	
Oct. 03, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 17, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Sep. 17, 2012	ASSIGNED TO LIE	68552
Sep. 06, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 06, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 06, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 06, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 06, 2012	EXAMINERS AMENDMENT -WRITTEN	67516
Sep. 05, 2012	ASSIGNED TO EXAMINER	67516
May 22, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
May 18, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
May 17, 2012	NEW APPLICATION ENTERED	

### TM Staff and Location Information

**TM Staff Information - None**

#### File Location

**Current Location:** TMEG LAW OFFICE 108

**Date in Location:** Oct. 26, 2022

**Assignment Abstract Of Title Information - [Click to Load](#)**

**Proceedings - [Click to Load](#)**

# United States of America

United States Patent and Trademark Office



**Reg. No. 4,564,704**

**Registered July 8, 2014**

**Int. Cl.: 21**

**TRADEMARK**

**PRINCIPAL REGISTER**

OMS INVESTMENTS, INC. (DELAWARE CORPORATION)  
10250 CONSTELLATION BLVD., SUITE 2800  
LOS ANGELOS, CA 90067

FOR: GARDEN HOSE-END SPRAYERS FOR APPLYING FERTILIZERS, PLANT FOODS, PESTICIDES, INSECTICIDES, HERBICIDES AND FUNGICIDES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 3-0-2014; IN COMMERCE 3-0-2014.

OWNER OF U.S. REG. NOS. 3,582,554, 4,042,710, AND OTHERS.

THE COLOR(S) RED AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "ORTHO" IN WHITE ACROSS THE DESIGN OF A STYLIZED HOUSE IN RED.

SN 85-624,884, FILED 5-14-2012.

KAREN K. BUSH, EXAMINING ATTORNEY



*Michelle K. Lee*

Deputy Director of the United States  
Patent and Trademark Office

For assistance with TSDR, email [teas@uspto.gov](mailto:teas@uspto.gov) and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

STATUS DOCUMENTS MAINTENANCE

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**Mark:** ORTHO



**US Serial Number:** 85624884

**Application Filing Date:** May 14, 2012

**US Registration Number:** 4564704

**Registration Date:** Jul. 08, 2014

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status**

**Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** A Sections 8 and 15 combined declaration has been accepted and acknowledged.

**Status Date:** Dec. 11, 2019

**Publication Date:** Oct. 23, 2012

**Notice of Allowance Date:** Dec. 18, 2012

## Mark Information

**Mark Literal Elements:** ORTHO

**Standard Character Claim:** No

**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

**Description of Mark:** The mark consists of the word "ORTHO" in white across the design of a stylized house in red.

**Color Drawing:** Yes

**Color(s) Claimed:** The color(s) red and white is/are claimed as a feature of the mark.

**Design Search Code(s):** 07.01.06 - Other houses

## Related Properties Information

**Claimed Ownership of US** [3582554](#), [3652072](#), [4042710](#) and others

**Registrations:**

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Garden hose-end sprayers for applying [fertilizers, plant foods,] pesticides, insecticides, herbicides and fungicides

**International Class(es):** 021 - Primary Class

**U.S Class(es):** 002, 013, 023, 029, 030, 033, 040, 050

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Mar. 2014

**Use in Commerce:** Mar. 2014

## Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

### Current Owner(s) Information

Owner Name: OMS Investments, Inc.

Owner Address: 10250 Constellation Blvd., Suite 2800  
Los Angeles, CALIFORNIA UNITED STATES 90067

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

### Attorney/Correspondence Information

#### Attorney of Record

Attorney Name: Robert Morgan

Attorney Primary Email [trademarks@scotts.com](mailto:trademarks@scotts.com)  
Address:

Attorney Email Authorized: Yes

#### Correspondent

Correspondent Name/Address: Robert Morgan

10250 Constellation Blvd., Suite 2800  
Los Angeles, CALIFORNIA UNITED STATES 90067

Phone: 937-578-1561

Correspondent e-mail: [trademarks@scotts.com](mailto:trademarks@scotts.com)

Correspondent e-mail  
Authorized: Yes

#### Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Nov. 22, 2022	NOTICE OF UPDATED REGISTRATION CONFIRMATION EMAILED	
Oct. 17, 2022	AMENDMENT UNDER SECTION 7 – PROCESSED	66607
Oct. 12, 2022	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Apr. 29, 2022	TEAS SECTION 7 REQUEST RECEIVED	
Apr. 28, 2022	POST REGISTRATION ACTION MAILED NO RESPONSE REQUIRED	30098
Apr. 27, 2022	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	30098
Mar. 20, 2022	TEAS VOLUNTARY AMENDMENT RECEIVED	
Dec. 11, 2019	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Dec. 11, 2019	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77074
Dec. 11, 2019	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77074
Nov. 06, 2019	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 06, 2019	TEAS SECTION 8 & 15 RECEIVED	
Oct. 23, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 23, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 08, 2019	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jul. 08, 2014	REGISTERED-PRINCIPAL REGISTER	
May 31, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 30, 2014	LAW OFFICE REGISTRATION REVIEW COMPLETED	68552
May 22, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	

May 05, 2014	STATEMENT OF USE PROCESSING COMPLETE	76538
May 01, 2014	USE AMENDMENT FILED	76538
May 01, 2014	TEAS STATEMENT OF USE RECEIVED	
Jan. 18, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 17, 2014	SOU EXTENSION 2 GRANTED	76538
Nov. 21, 2013	SOU EXTENSION 2 FILED	76538
Jan. 17, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76538
Jan. 13, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	74193
Nov. 21, 2013	TEAS EXTENSION RECEIVED	
Jul. 31, 2013	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 31, 2013	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jun. 08, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 06, 2013	SOU EXTENSION 1 GRANTED	98765
Jun. 06, 2013	SOU EXTENSION 1 FILED	98765
Jun. 06, 2013	TEAS EXTENSION RECEIVED	
Dec. 18, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 23, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 23, 2012	PUBLISHED FOR OPPOSITION	
Oct. 03, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 17, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Sep. 17, 2012	ASSIGNED TO LIE	68552
Sep. 06, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 06, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 06, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 06, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 06, 2012	EXAMINERS AMENDMENT -WRITTEN	67516
Sep. 05, 2012	ASSIGNED TO EXAMINER	67516
May 22, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
May 18, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
May 17, 2012	NEW APPLICATION ENTERED	

### TM Staff and Location Information

**TM Staff Information - None**

#### File Location

**Current Location:** TMEG LAW OFFICE 108

**Date in Location:** Oct. 17, 2022

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**Int. Cl.: 5**

**Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52**

**Reg. No. 3,582,553**

**United States Patent and Trademark Office**

**Registered Mar. 3, 2009**

**TRADEMARK  
PRINCIPAL REGISTER**



OMS INVESTMENTS, INC. (DELAWARE CORPORATION)  
10250 CONSTELLATION BLVD., SUITE 2800  
LOS ANGELES, CA 90067

THE COLOR(S) RED, GOLD, BLACK AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

FOR: PESTICIDES, INSECTICIDES, FUNGICIDES, HERBICIDES, MITICIDES, AND PARASITICIDES FOR DOMESTIC USE; INSECT REPELLENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

THE MARK CONSISTS OF THE WORD "ORTHO" IN WHITE BLOCK LETTERS WITH BLACK SHADOWS CENTERED IN A SOLID RED RECTANGLE THAT HAS AN OUTER GOLD BORDER WITH AN INNER BLACK BORDER BETWEEN THE GOLD BORDER AND THE RED RECTANGLE.

FIRST USE 12-31-2001; IN COMMERCE 12-31-2001.

SER. NO. 77-434,297, FILED 3-28-2008.

OWNER OF U.S. REG. NOS. 121,042, 423,264, AND 2,896,258.

RONALD AIKENS, EXAMINING ATTORNEY

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STATUS DOCUMENTS MAINTENANCE

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**Mark:** ORTHO



**US Serial Number:** 77434297

**Application Filing Date:** Mar. 28, 2008

**US Registration Number:** 3582553

**Registration Date:** Mar. 03, 2009

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status**

**Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** The registration has been renewed.

**Status Date:** Dec. 20, 2018

**Publication Date:** Dec. 16, 2008

## Mark Information

**Mark Literal Elements:** ORTHO

**Standard Character Claim:** No

**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

**Description of Mark:** The mark consists of the word "ORTHO" in white block letters with black shadows centered in a solid red rectangle that has an outer gold border with an inner black border between the gold border and the red rectangle.

**Color Drawing:** Yes

**Color(s) Claimed:** The color(s) red, gold, black and white is/are claimed as a feature of the mark.

**Design Search Code(s):** 07.13.03 - Street signs (mounted on posts); Advertising, signs, mounted or with posts or standards  
26.11.20 - Rectangles inside one another  
26.11.21 - Rectangles that are completely or partially shaded

## Related Properties Information

**Claimed Ownership of US Registrations:** [0121042](#), [0423264](#), [2896258](#)

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*...\* identify additional (new) wording in the goods/services.

**For:** pesticides, insecticides, fungicides, herbicides, miticides, and parasitocides for domestic use; insect repellents

**International Class(es):** 005 - Primary Class

**U.S Class(es):** 006, 018, 044, 046, 051, 052

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Dec. 31, 2001

**Use in Commerce:** Dec. 31, 2001

**Basis Information (Case Level)**

<b>Filed Use:</b> Yes	<b>Currently Use:</b> Yes
<b>Filed ITU:</b> No	<b>Currently ITU:</b> No
<b>Filed 44D:</b> No	<b>Currently 44E:</b> No
<b>Filed 44E:</b> No	<b>Currently 66A:</b> No
<b>Filed 66A:</b> No	<b>Currently No Basis:</b> No
<b>Filed No Basis:</b> No	

**Current Owner(s) Information**

<b>Owner Name:</b> OMS Investments, Inc.	
<b>Owner Address:</b> 10250 Constellation Blvd., Suite 2800 Los Angeles, CALIFORNIA UNITED STATES 90067	
<b>Legal Entity Type:</b> CORPORATION	<b>State or Country Where Organized:</b> DELAWARE

**Attorney/Correspondence Information****Attorney of Record**

<b>Attorney Name:</b> Robert J. Morgan	
<b>Attorney Primary Email Address:</b> <a href="mailto:trademarks@scotts.com">trademarks@scotts.com</a>	<b>Attorney Email Authorized:</b> Yes

**Correspondent**

<b>Correspondent Name/Address:</b> Robert J. Morgan OMS Investments, Inc. 10250 Constellation Blvd., Suite 2800 Los Angeles, CALIFORNIA UNITED STATES 90067	
<b>Correspondent e-mail:</b> <a href="mailto:trademarks@scotts.com">trademarks@scotts.com</a>	<b>Correspondent e-mail Authorized:</b> Yes

**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Oct. 19, 2022	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Oct. 19, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 19, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 19, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 19, 2022	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Dec. 20, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Dec. 20, 2018	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76293
Dec. 20, 2018	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76293
Dec. 20, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76293
Dec. 06, 2018	TEAS SECTION 8 & 9 RECEIVED	
Mar. 03, 2018	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Mar. 24, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Mar. 24, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	75461
Mar. 06, 2014	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	75461
Mar. 24, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Mar. 06, 2014	TEAS SECTION 8 & 15 RECEIVED	
Mar. 03, 2009	REGISTERED-PRINCIPAL REGISTER	
Dec. 16, 2008	PUBLISHED FOR OPPOSITION	

Nov. 26, 2008	NOTICE OF PUBLICATION	
Nov. 07, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	74215
Nov. 07, 2008	ASSIGNED TO LIE	74215
Nov. 03, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 22, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 21, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 21, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 21, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 21, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 21, 2008	NON-FINAL ACTION E-MAILED	6325
Jun. 21, 2008	NON-FINAL ACTION WRITTEN	75589
Jun. 20, 2008	ASSIGNED TO EXAMINER	75589
Apr. 02, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Apr. 01, 2008	NEW APPLICATION ENTERED	

### TM Staff and Location Information

**TM Staff Information - None**

#### File Location

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Dec. 20, 2018

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